

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MILES LEWIS,

Petitioner,

-v-

9:14-CV-1411
(DNH/ATB)

T. GRIFFIN, Superintendent

Respondent.

APPEARANCES:

MILES LEWIS
Petitioner, Pro Se
09-A-2520
Eastern NY Correctional Facility
Box 338
Napanoch, NY 12458

OF COUNSEL:

HON. ERIC T. SCHNEIDERMAN
Attorney General for the State of New York
Attorney for Respondent
120 Broadway
New York, NY 10271

MICHELLE E. MAEROV, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se petitioner Miles Lewis brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 12, 2015, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised, by Report-Recommendation, that the petition be denied. Petitioner timely filed objections to the Report-Recommendation.

Based upon a de novo review of the portions of the Report-Recommendation to which petitioner objected, the Report-Recommendation is adopted in whole. See 28 U.S.C. § 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

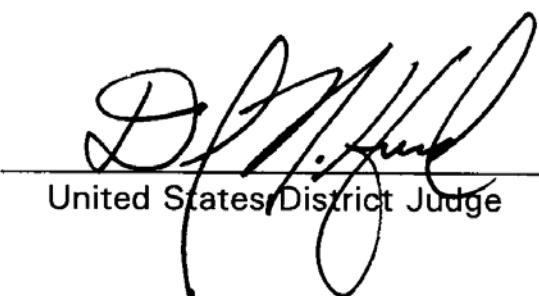
Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED**; and
2. The Clerk is directed to close the file.

Because petitioner has not made a substantial showing of the denial of any constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253.

IT IS SO ORDERED.



United States District Judge

Dated: November 2, 2015
Utica, New York.